

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:17-cv-75-FDW**

**SHAWN GERMAINE FRALEY,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **JOHN DOE, et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**ORDER**


**THIS MATTER** is before the Court on Plaintiff's Third Motion to Appoint Counsel, (Doc. No. 19), and on Plaintiff's Motion to Have Evidence Added to Case, (Doc. No. 20).

First, as to Plaintiff's Motion to Appoint Counsel, his motion is denied for the same reasons this Court denied his prior motions to appoint counsel.

Next, to the extent that Plaintiff states, in his "Motion to Have Evidence Added to Case," that he seeks to obtain certain discovery from Defendants, including videotape footage, the Court advises Plaintiff that he will be entitled to seek discovery from Defendants once this Court enters a case management order and discovery commences. The Court will enter such order when Defendants have answered or otherwise responded to the Complaint.

**IT IS THEREFORE ORDERED** that Plaintiff's Third Motion to Appoint Counsel, (Doc. No. 19), and Plaintiff's Motion to Have Evidence Added to Case, (Doc. No. 20), are both **DENIED.**

Signed: August 17, 2017

  
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Frank D. Whitney  
Chief United States District Judge

